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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 4, 2002

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE010665

Ex Parte, in re further amendments
to filing requirements for applications
for authority to construct and operate
an electric generating facility and
development of expedited permitting
procedures for small generating facilities
of 50 MW or less

ORDER EXTENDING FILING DATES

Before the Commission is the March 11, 2002, Commission Staff Motion for Extension of Filing Date. The Staff moved for an extension, in part, of the filing date set by our Order Adopting Rules and Prescribing Additional Notice of December 14, 2001, in this proceeding. Among other things, ordering paragraph (3) of our Order of December 14, 2001, directed the Staff to file by April 19, 2002, a report with recommendations on further amendments to the Filing Requirements for Applications to Construct and Operate an Electric Generating Facility (hereinafter "Filing Requirements"), 20 VAC 5-302-10 et seq. The Staff requested an extension for reporting on amendments to 20 VAC 5-302-20 12 a, concerning cumulative impacts on air quality, and 20 VAC 5-302-20 12 b, concerning

cumulative impacts on water resources. No responses to the Staff's motion were filed. As discussed in the following paragraphs, the Commission will grant the motion.

In support of its motion, the Staff noted the passage of Senate Bill No. 554, which would amend the environmental provisions of the principal statutes governing approval of electric generating facilities, §§ 56-46.1 and 56-580 D of the Code of Virginia. The Commission agrees that enactment of Senate Bill No. 554 would have an impact on further revision of the environmental provisions of the Filing Requirements. We will vacate the dates for the Staff report on proposed revisions to 20 VAC 5-302-20 12 a and 20 VAC 5-302-20 12 b and for any comments or requests for a hearing. The Commission will address these revisions in a future order. The report and comments on the other issues designated for consideration will be filed as ordered on December 14, 2001.

Accordingly, IT IS ORDERED THAT:

(1) The March 11, 2002, Commission Staff Motion for Extension of Filing Date is granted.

(2) Ordering paragraph (3) of our Order Adopting Rules and Prescribing Additional Notice of December 14, 2001, is vacated to the extent that the report should address further amendments to the Filing Requirements, 20 VAC 5-302-20 12 a and b.

(3) Ordering paragraphs (4) and (5) of our Order Adopting Rules and Prescribing Additional Notice of December 14, 2001, are vacated to the extent that comments and requests for hearing on further amendments to the Filing Requirements, 20 VAC 5-302-20 12 a and b, are authorized.